

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Kimberly Ann Henny,

Case No. 22-cv-1996 (WMW/JFD)

Plaintiff,

v.

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

Mistelle Starr, *Warden, of FCI Waseca*,  
McIntosh, *Associate Warden, of FCI*  
*Waseca* and Andre Mousetavian, *Regional*  
*Director for the Federal Bureau of Prisons*,

Defendant.

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Before the Court is the November 8, 2022 Report and Recommendation (R&R) of United States Magistrate Judge John Docherty. (Dkt. 12.) No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The November 8, 2022 Report and Recommendation, (Dkt. 12), is **ADOPTED**.
2. Plaintiff Kimberly Ann Henny's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

3. Plaintiff Kimberly Ann Henny's motion to proceed *in forma pauperis*, (Dkt. 4), is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 10, 2023

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge